



Report to the Auburn City Council

Action Item

10

Agenda Item No.

City Manager's Approval

To: Mayor and City Council Members
From: Reg Murray, Senior Planner
Date: July 22, 2013
Subject: Rezone – Emergency Shelter Overlay (555/570/580 Wall Street) – File RE 13-3.

The Issue

Should the Auburn City Council adopt the Initial Study and Negative Declaration prepared for this project in accordance with the California Environmental Quality Act (CEQA), and approve a Rezone request to apply the Emergency Shelter overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012-(006; 037; and 057))?

Recommended Motion (Denial of Rezone)

The Auburn Planning Commission, by a vote of 3-0 (two absent), recommends that the Auburn City Council take the following action:

- A. By Motion, deny the Rezone request to apply the Emergency Shelter overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012-(006; 037; and 057)).

Alternative Motion (Approval of Rezone)

If the City Council supports the Emergency Shelter (ES) overlay zone for the properties on Wall Street, staff recommends the following actions:

- B. By Motion, adopt the Initial Study and Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA) for the Wall Street Emergency Shelter (ES) overlay zone (Exhibit B); and
- C. By Motion, introduce and hold a First Reading, by title only, of the attached Ordinance (Exhibit A) which approves the Rezone request to apply the Emergency Shelter overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012-(006; 037; and 057)).

Background

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 by requiring that jurisdictions plan for emergency shelters in the Housing Element of the General Plan. With SB 2, jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters must be allowed

as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit). An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less.

The Auburn City Council has been considering how to address the State requirements at a couple Council hearings over the past several months. On May 13, 2013, the Auburn City Council decided to address the issue through the use of an overlay zone instead of identifying a specific existing zone district and directed staff to prepare an amendment to the Auburn Municipal Code (AMC) to establish the Emergency Shelter (ES) overlay zone.

The City Council also identified two areas where the ES overlay could be applied, including one area at the northern end of Wall Street and a second area on Nevada Street, west of the Signature movie theater; and, directed staff to prepare the necessary Rezone ordinances for these properties. This Rezone entitlement has been prepared to implement the ES overlay on the Wall Street properties.

Staff prepared the required Rezone entitlement for the Wall Street project area and forwarded the request to the Auburn Planning Commission on July 2, 2013. The staff report prepared for the Planning Commission meeting is provided as Attachment 1, while the ordinance for the Rezone is provided as Exhibit A.

Emergency Shelter Overlay Rezone

The proposed Rezone applies the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street. The properties will retain their existing zone designations and add the ES overlay zone to them. With the ES overlay zone, permanent emergency shelters for the homeless will be allowed on the subject properties as a use permitted by right (i.e. no use permit would be required), in addition to all other existing uses permitted by the underlying zone(s). Emergency shelters will also be subject to the development standards specified in the Emergency Shelter overlay zone of the Auburn Municipal Code (e.g. occupancy limits, parking, management, facilities, and operations plan). The Planning Commission staff report (Attachment 1) provides a detailed summary of the existing site zoning, surrounding zoning and land uses, the proposed ordinance and the development standards.

Planning Commission Meeting – July 2, 2013

As noted, the Auburn Planning Commission considered the proposal to include the ES overlay zone on the Wall Street properties on Tuesday, July 2, 2013. The Commission received testimony from five individuals including Suzi deFosset (The Gathering Inn), Kevin O'Connell (tenant on Wall Street), Jan Haldeman, Virgil Trainor (Wall Street property owner), and Jackie Trainor (Wall Street property owner). The majority of speakers opposed the proposal for Wall Street and suggested that the City consider alternative locations.

The Planning Commission's deliberation on the proposed rezone centered on whether the site was appropriate for a potential homeless shelter. Due to their concerns about the zoning and land uses on the project site and surrounding properties, the Planning Commission voted to recommend that the City Council deny the proposed ES overlay for the Wall Street properties.

The minutes summarizing the questions and comments from the Planning Commissioners as well as the statements from all of the public speakers are summarized in the Planning Commission minutes (Attachment 2).

Public Correspondence

The Community Development Department is in receipt of one letter associated with this Rezone request following the July 2nd Planning Commission hearing. The letter, from Susan Whitaker, supports the proposed rezone (Attachment 3).

Environmental Determination

The Auburn Community Development Department prepared an Initial Study and Negative Declaration for public review (Exhibit B) in accordance with the California Environmental Quality Act (CEQA). A copy of the Negative Declaration was posted for a 20-day review period starting June 13, 2013. Staff received no public comments regarding the Initial Study and Negative Declaration during the posting period. The Planning Commission noted the adequacy of the Initial Study and Negative Declaration, but took no action on the environmental document as part of their denial of the Rezone proposal.

Alternatives Available; Implications of Alternatives

1. Deny the Rezone request as recommended by the Planning Commission. If denied, the City Council may wish to identify an alternative site(s) to insure compliance with SB 2.
2. Approve the Rezone request; this would comply with the requirements of SB 2.
3. Continue the request and direct staff to provide additional information.
4. Direct staff to prepare an alternative proposal for City Council consideration.

Fiscal Impact

Minimal fiscal impact associated with preparation of the draft ordinance by Community Development staff in consultation with the City Attorney.

Attachments:

1. Planning Commission Staff Report – July 2, 2013
2. Minutes - July 2, 2013 Planning Commission hearing
3. Letter – Susan Whitaker dated July 12, 2013

Exhibits:

- A. Ordinance – Rezone for Emergency Shelter Overlay Zone 555/570/580 Wall Street
- B. CEQA Document - Initial Study and Negative Declaration



CITY OF AUBURN

Planning Commission – Staff Report

Meeting Date: July 2, 2013

Prepared by: Reg Murray, Senior Planner

ITEM NO.
V-C

ATTACHMENT 1

ITEM V-C: REZONE – EMERGENCY SHELTER OVERLAY (555/570/580 WALL STREET) – FILE# RE 13-2.

REQUEST: The City of Auburn is proposing to apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012-(006, 037, and 057)). With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties as a use permitted by right, subject to development standards, in addition to all other existing uses permitted by the underlying zone(s).

RECOMMENDED MOTION:

Move to adopt Planning Commission **Resolution 13-12** recommending that the Auburn City Council adopt the Initial Study and Negative Declaration prepared for this project in accordance with the California Environmental Quality Act (CEQA), and approve a Rezone request to apply the Emergency Shelter overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012-(006, 037, and 057)) as presented, or as amended by the Planning Commission.

BACKGROUND:

Applicant: City of Auburn

Owner(s): Lot 1: Taghi Alerez & Lillie M. Mozaffari; 2660 Highland Hills Drive; El Dorado Hills, CA 95762
Lot 2: Toyon Enterprises; 5400 Winding Way; Auburn, CA 95602
Lot 3: Persimmon Terrace Apartments Partnership; 2625 Fair Oaks Boulevard #3; Sacramento, CA 95864

Location & Assessor's Parcel Number (Attachments 1 & 2):

Lot 1: 555 Wall Street; 001-012-057
Lot 2: 570 Wall Street; 001-012-037
Lot 3: 580 Wall Street; 001-012-006

Lot Size: Lot 1: 1.05 acres
Lot 2: 0.63 acres
Lot 3: 2.11 acres

Site Zoning Designation (Attachment 3):

Lot 1: Regional Commercial (C-3)
Lot 2: Regional Commercial (C-3)
Lot 3: Medium Density Multiple-family Residential (R-3)

Site General Plan Designation:

- Lot 1: Commercial (COMM)
- Lot 2: Commercial (COMM)
- Lot 3: High Density Residential (HDR)

Site Land Use:

- Lot 1: Unoccupied automotive repair/service building
- Lot 2: Vacant undeveloped commercial lot
- Lot 3: Vacant, undeveloped multiple-family residential lot

Surrounding Zone Districts:

- North: Medium Density Multiple-family Residential (R-3)
- East: Neighborhood Commercial (C-1)
- South: Regional Commercial (C-3)
- West: Regional Commercial (C-3)

Surrounding Land Uses:

- North: Multiple-family apartments
- East: Multiple-family senior apartments; offices
- South: Commercial and office
- West: Commercial

HISTORY:

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 by requiring that jurisdictions plan for emergency shelters in the Housing Element (Element) of the General Plan. An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. With SB 2, jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters must be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit).

On April 8, 2013 and May 13, 2013, the Auburn City Council considered proposed ordinance amendments to identify a zone district for emergency shelters. Following public testimony and deliberation by the Council, the City Council elected not to designate a zone district; but instead, decided to use the zone overlay process to designate specific areas where emergency shelters would be considered a permitted use. On May 13th, Council directed staff to amendment to the Auburn Municipal Code (AMC) to establish the Emergency Shelter (ES) overlay zone. At the same time, Council identified two areas where the ES overlay could be applied; one area is on Nevada Street west of the Signature movie theater while the second area is at the northern end of Wall Street (Attachment 1). This Rezone entitlement is required to implement the ES overlay on the Wall Street properties.

ANALYSIS:

The proposal would apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street (Exhibit A). The property at 555 Wall Street is currently developed with an unoccupied automotive service facility (Attachment 2; Lot 1); the remaining two lots are vacant, undeveloped lots (Lots 2 & 3).

Lots 1 and 2 on either side of Wall Street are zoned Regional Commercial (C-3; Attachment 3); the C-3 zone allows for a wide variety of higher-intensity commercial uses such as automotive sales and service, retail, office, restaurant, and personal services. The property at the northern end of Wall Street (Lot 3) is zoned Medium Density Multiple-family Residential (R-3), which allows for a assortment of residential uses including single-family, two-family, and multi-family residential units.

The proposed Rezone maintains the existing zone designations noted above and adds the ES overlay zone. With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties as a use permitted by right (i.e. no use permit would be required), in addition to all other existing uses permitted by the underlying zone(s).

The City is currently processing the enabling ordinance for the Emergency Shelter (ES) overlay zone concurrent with this Rezone entitlement. All emergency shelters permitted by the ES overlay zone will be subject to the development standards in Section 159.047 of the new code. The code amendments provided with the draft ordinance (Attachment 4) are consistent with the California Government Code requirements allowed by SB 2 and include the following:

1. Occupancy – Maximum occupancy in a permanent shelter will be twenty (20) individuals.
2. Parking - Shelters must provide parking for each staff member and every 10 occupants.
3. Management – Standards are included for shelter management, including a minimum of two staff members at all times; security personnel; and, coordination with the Police Department regarding the names of persons residing at the shelter.
4. Facilities – Shelters will be required to provide certain minimum facilities including common areas for use by the occupants; secure storage facilities; laundry facilities; and at least two showers.
5. Operations Plan – Shelters will prepare and maintain an operations plan which address issues such as security, safety, noise control, admission and discharge procedures, training, communication, and the prohibition of smoking, drinking, and non-prescription drug use.

The standards summarized above, and detailed with the new code amendments, are consistent with the California Government Code provisions detailed with SB 2, which insures the safe, effective, and efficient operation of each emergency shelter and compatibility with the designated sites.

The Wall Street project area offers potential sites that have compatible zoning (R-3 and C-3) and are large enough to support an emergency shelter (e.g. parcels range in size from 0.63 to 2.11 acres in size). The properties surrounding the Wall Street project area include uses compatible with emergency shelters including multiple-family residential developments to the North and East and

retail/commercial and offices to the East, South, and West. The Wall Street project area is located close to services for the homeless, including retail on Highway 49 and grocery stores on Elm Avenue and Auburn Ravine Road. The project area is also located on or adjacent to one of the City's transit routes and near Placer County transit services. Proximity to the surrounding commercial area and related transit opportunities compliments the future needs of the residents who would be making use of an emergency shelter in the project area.

Based on consistency with the project area and surrounding zoning, proximity to services and transit, and with the incorporation of the City's development standards for emergency shelters, staff supports approval of the emergency shelter overlay for the Wall Street project area as shown with Exhibit A.

The Planning Commission is a recommending body for this Rezone. All comments and recommendations from the Commission will be forwarded to the Auburn City Council for their consideration.

ENVIRONMENTAL SUMMARY:

The Auburn Community Development Department prepared an Initial Study and Negative Declaration for public review (Exhibit B) in accordance with the California Environmental Quality Act (CEQA). A copy of the Negative Declaration was posted for a 20-day review period starting June 13, 2013. Staff received no public comments regarding the Negative Declaration prior to the release of this report.

ATTACHMENTS

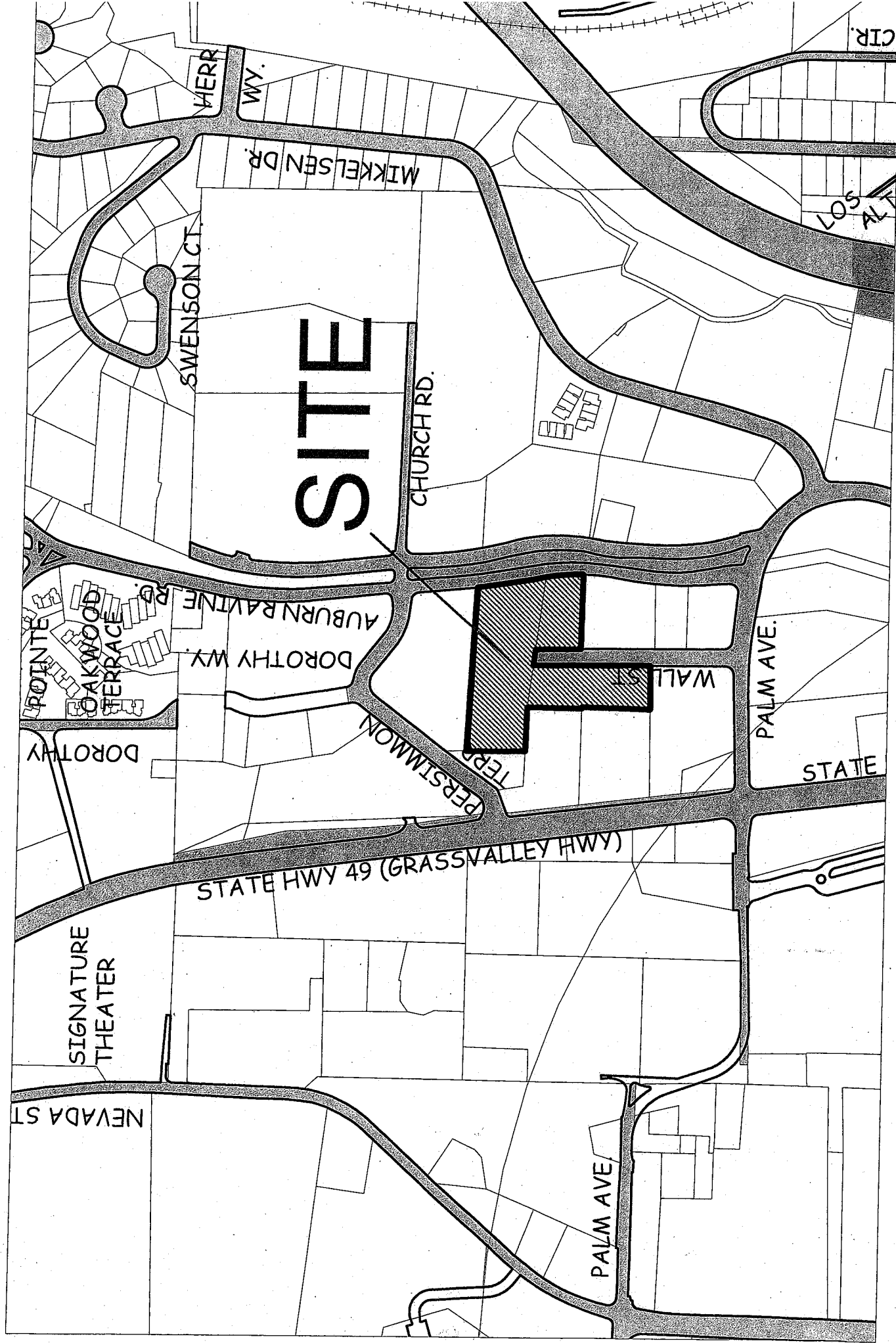
1. Vicinity Map
2. Aerial Photo with Lots Numbered
3. Existing Zoning Map
4. Draft Emergency Shelter Ordinance

EXHIBITS

- A. Planning Commission Resolution 13-12 - Wall Street Emergency Shelter Overlay Zone
- B. Initial Study and Negative Declaration

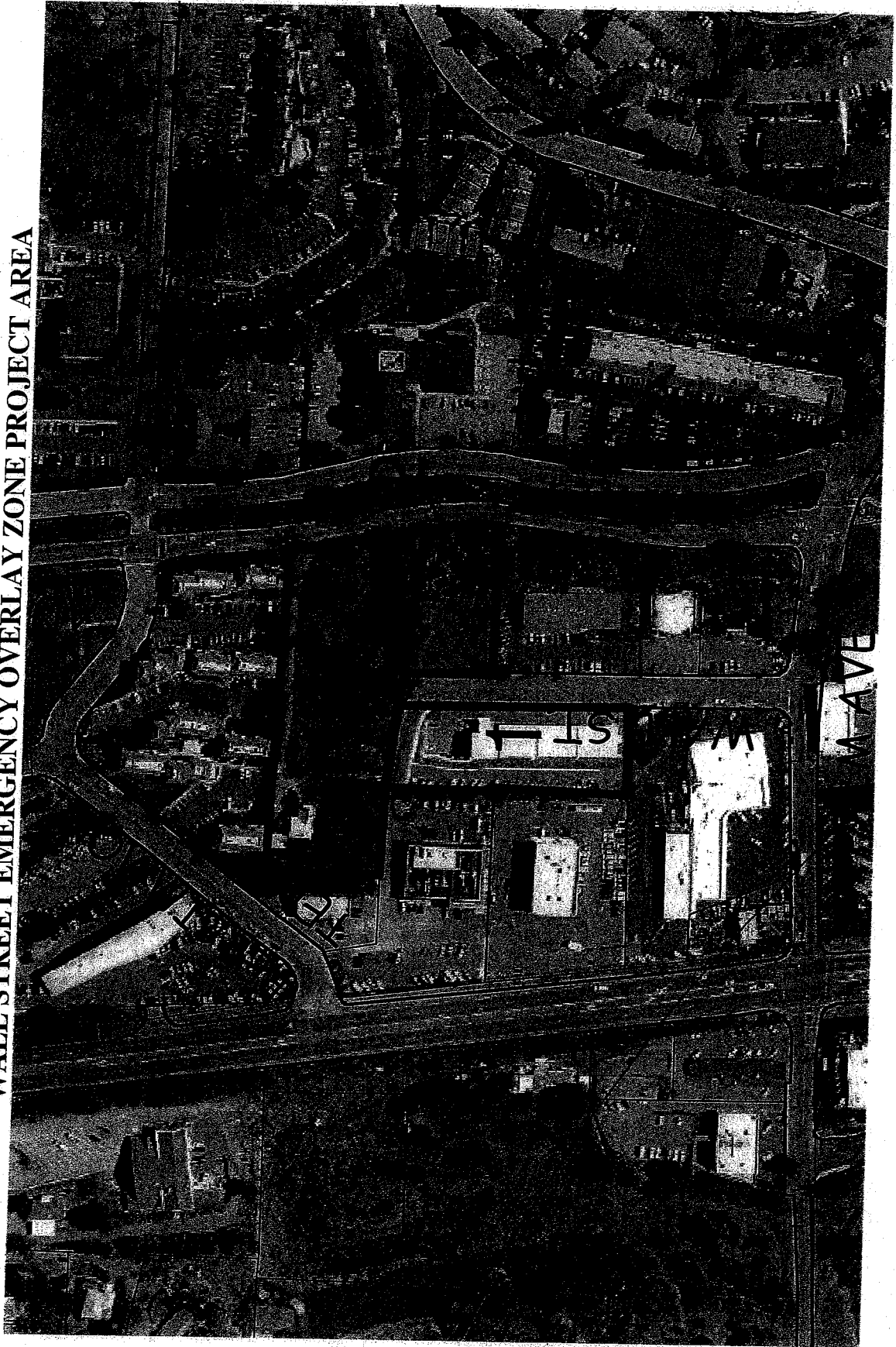
P:/Ordinance Amendments/Emergency Shelters/Emergency Shelter Overlay/Emergency Shelter Overlay Wall St.pcreport1

Wall Street Overlay Rezone - Vicinity Map

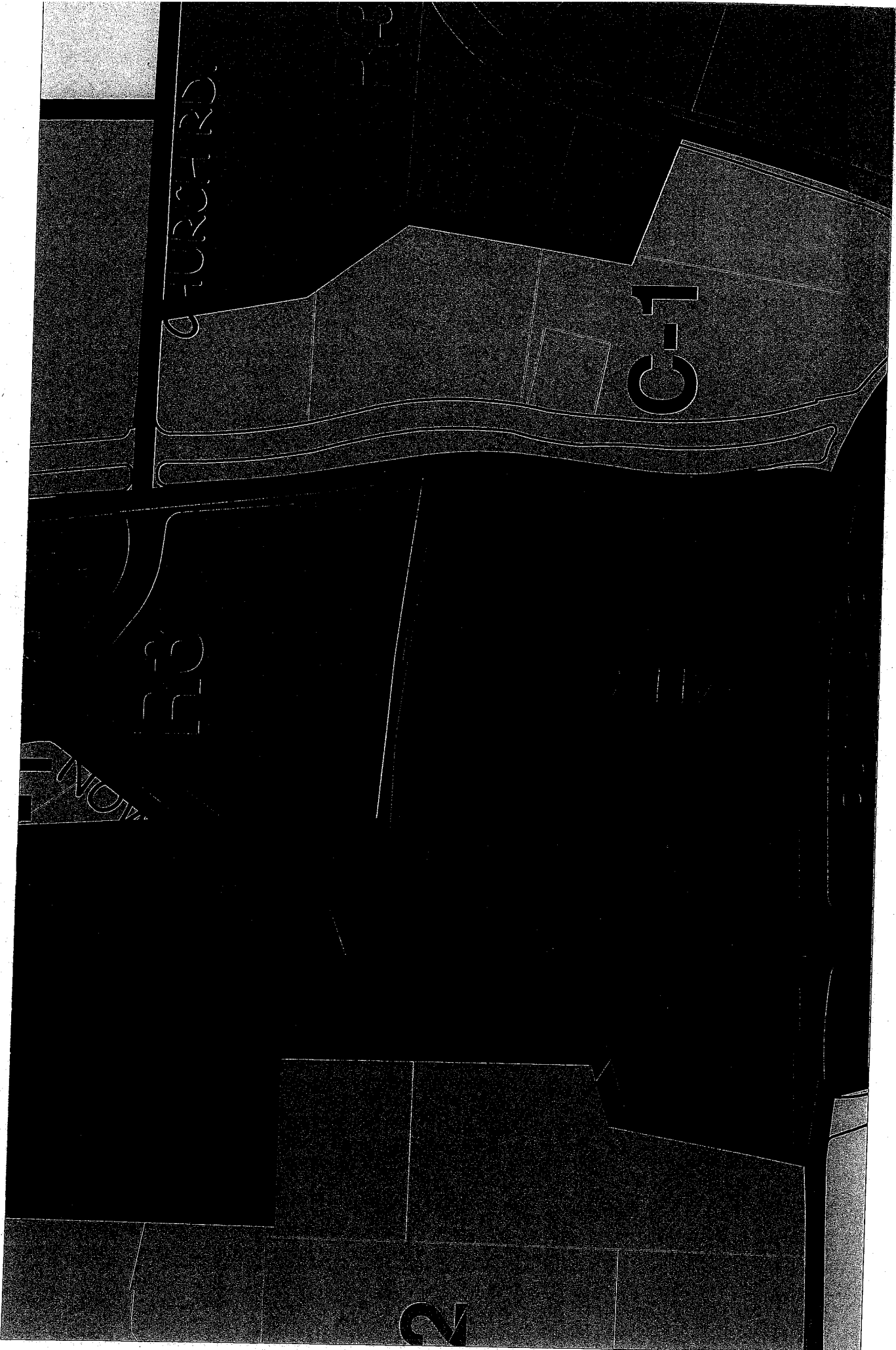


VICINITY MAP

WALL STREET EMERGENCY OVERLAY ZONE PROJECT AREA



Wall Street - Existing Zoning



ORDINANCE NO. 13 - _____

AN ORDINANCE FOR EMERGENCY SHELTERS, SUPPORTIVE HOUSING AND
TRANSITIONAL HOUSING

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

- A. Whereas Chapter 633, Statutes of 2007 (SB 2) clarifies housing element law to ensure that zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act; and
- B. Whereas the City of Auburn General Plan Housing Element identifies implementation programs to promote equal housing opportunities for all persons; and
- C. Whereas the City of Auburn General Plan Housing Element includes Program N to accommodate emergency shelters and transitional and supportive housing; and,
- D. Whereas the City of Auburn desires to ensure sufficient capacity to house the City's homeless population in conformance with SB 2; and
- E. Whereas the City of Auburn desires to recognize transitional and supportive housing in conformance with SB2.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES
HEREBY ORDAIN:

Section One: Amend Section 159.001 (Definitions) of Title XV of the City of Auburn Municipal Code to revise the definition of *FAMILY* and add definitions for *EMERGENCY SHELTER*, *INSTITUTIONAL USE*, *SUPPORTIVE HOUSING* and *TRANSITIONAL HOUSING*, to read as follows:

EMERGENCY SHELTER. Shall have the same meaning as defined in subdivision (e) of Section 50801 of the Health and Safety Code.

FAMILY. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

INSTITUTIONAL USE. Shall include premises associated with, but not limited to, places of worship, hospitals, educational facilities, and community service organizations.

SUPPORTIVE HOUSING. Shall have the same meaning as defined in subdivision (b) of Section 50675.14 of the Health and Safety Code.

TRANSITIONAL HOUSING. Shall have the same meaning as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code.

Section Two: Amend Section 159.032 (Medium Density Multiple-family Residential District (R-3) of Title XV of the City of Auburn Municipal Code by adding the following permitted uses:

- (A)(4) Supportive Housing
- (A)(5) Transitional Housing

Section Three: Amend Title XV, Section 159.015 (Established) of the City of Auburn Municipal Code to read as follows:

- (Z) Combining District (-P);
- (AA) Central Business -A District (C-2A); and
- (BB) Emergency Shelter overlay (ES)

Section Four: Amend Title XV, Chapter 159 of the City of Auburn Municipal Code by adding Sections 159.380 and 159.381 (Emergency Shelters) as follows:

EMERGENCY SHELTERS

159.380 PURPOSE.

The provisions of this subchapter are adopted to provide regulations which encourage and facilitate the operation of, development of, or conversion to, emergency shelters in accordance with state law and the city's adopted housing element.

159.381 PERMIT REQUIREMENTS

(A) Permanent emergency shelters shall be a permitted use in the Emergency Shelter (ES) overlay zone district and subject to the development standards identified in Section 159.047.

(B) Temporary emergency shelters are permitted as part of an institutional use subject to the following:

1. Temporary emergency shelters shall conform to the development standards identified in Section 159.047, except as modified below.
2. The maximum number of occupants shall not exceed (X).
3. Temporary emergency shelters are not subject to any distance separation requirements.
4. Emergency shelters shall not operate at the same premises more than four (4) nights per week.
5. The shelter shall not operate more than 12 hours per day.

Section Five: Amend Title XV, Chapter 159 of the City of Auburn Municipal Code by adding Section 159.047 (Emergency Shelter Overlay (ES)) as follows:

EMERGENCY SHELTER (ES) OVERLAY.**(A) Development Standards.** Emergency Shelters shall comply with the following:

1. **Occupancy.** The maximum number of occupants to be served shall not exceed twenty (20).
2. **Parking Requirements.** Emergency shelters shall provide one parking space for every staff member present plus one parking space for every ten (10) residents.
3. **Management.** The following management standards shall apply:
 - a. On-site management shall be provided by at least two (2) emergency shelter staff member at all times while clients are present at the shelter.
 - b. Security personnel shall be provided on-site during hours of operation.
 - c. Hours of Operation. Shelters shall establish and maintain set hours for client intake/discharge, which must be prominently posted on-site.
 - d. Management shall maintain an active list of names of all occupants at the shelter. The list shall be provided to the Police Department upon request. Management shall notify the Police Department if they remove an occupant from the shelter.
4. **Facilities.** Shelters shall be situated in permanent premises and shall provide the following facilities:
 - a. An intake/waiting area shall be provided so that clients are not required to wait on sidewalks or any other public rights-of-way.
 - b. Common area for the use of clients.
 - c. Laundry facilities.
 - d. Shower facilities – provide a minimum of two (2) showers.
 - e. Secure areas shall be provided for personal property.
 - f. Adequate interior and exterior lighting shall be provided.
 - g. Telephones shall be provided for use by clients.
5. **Operations Plan.** An operations plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. The plan shall be submitted to and approved by the Community Development Department and Police Department prior to operation of the emergency shelter. The approved plan shall remain active throughout the life of the facility, and all operational requirements covered by the plan shall be complied with at all times. At a minimum, the plan shall include:
 - a. A floor plan demonstrating compliance with the physical standards of this chapter.

- b. Security and safety. Address both on- and off-site needs, including provisions to insure the security and separation of male and female sleeping areas, as well as any family areas within the facility.
 - c. Loitering/noise control. Include specific measures regarding operation controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site and/or services are not provided.
 - d. Management of outdoor areas. Include a system for daily admittance and discharge procedures and monitoring of waiting areas with a goal to minimize negative impacts to adjacent property.
 - e. Staff training. Insure adequate knowledge and skills to assist clients in obtaining permanent shelter.
 - f. Communication and outreach. Provide objectives to maintain effective, ongoing communication and response to operation issues which may arise within the neighborhood as may be identified by the general public or City staff.
 - g. Adequate and effective screening. Identify the admittance eligibility of clients.
 - h. Litter control. Provide for the regular daily removal of litter attributable to clients within the vicinity of the facility.
 - i. Smoking/drinking/drugs. Smoking, drinking, and the taking of (non-prescription) drugs shall be prohibited on the premises. The operations plan shall include specific measures addressing these restrictions.
 - j. The names and contact information of all responsible parties.
6. Zone Specific Development Standards. An emergency shelter shall comply with all development standards of the applicable zoning district in which it is located.
 7. The facility shall comply with all applicable state and local housing, building, and fire code requirements.
 8. The facility shall comply with all applicable state and local licensing as required for any program incidental to the emergency shelter.

Section Six: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Seven: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Eight: If any part of this Ordinance is held to be invalid, such invalidity shall not affect any other provision which reasonably can be given effect without regard to the invalid provision and, to that end, the provisions of this Ordinance are hereby declared to be severable.

DATED: _____, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular session meeting of the City Council of the City of Auburn held on the _____ day of _____ 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

Stephanie L. Snyder, City Clerk

Planning Commission Draft

PLANNING COMMISSION RESOLUTION NO. 13-12

REZONE – WALL STREET EMERGENCY SHELTER OVERLAY (FILE RE 13-02)

Section 1. The City of Auburn Planning Commission held a public hearing at its regular meeting of July 2, 2013, to consider a recommendation to the City Council to Rezone the properties at 555/570/580 Wall Street to include the Emergency Shelter (ES) overlay zone. With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties (APN: 001-012-(006, 037, and 057)) as a use permitted by right, subject to the City's development standards, in addition to all other existing uses permitted by the underlying zone(s).

Section 2. The City of Auburn Planning Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda report prepared by the Community Development Department for the July 2, 2013, meeting.
2. The Rezone exhibit (attached) illustrating that the ES overlay zone applies to the properties at 555/570/580 Wall Street (APN: 001-012-(006, 037, and 057)).
3. The Initial Study and Negative Declaration prepared for the Rezone entitlement.
4. Staff presentation at the public hearing held on July 2, 2013.
5. Public comments, both written and oral, received and/or submitted at or prior to the public hearing.
6. All related documents received and/or submitted at or prior to the public hearing.
7. The City of Auburn General Plan, Zoning Ordinance, and all other applicable regulations and codes.

Section 3. In view of all of the foregoing evidence, the City of Auburn Planning Commission recommends the following:

The findings of fact for the Negative Declaration are:

1. The Planning Commission, on the basis of the whole record before it (including the initial study and any comments received) finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the lead agency's independent judgment and analysis.
2. All documents and materials relating to the proceedings for the project are maintained in the City of Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.

Section 4. In view of all the evidence and based on the foregoing findings and conclusions, the City of Auburn Planning Commission, upon motion by Commissioner _____ and seconded by Commissioner _____ hereby recommends adoption of the Negative Declaration and recommends that the City Council approve the Rezone for

the properties at 555/570/580 Wall Street to include the Emergency Shelter (ES) overlay zone. With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties (APN: 001-012-(006, 037, and 057; attached)) as a use permitted by right, subject to the City's development standards, in addition to all other existing uses permitted by the underlying zone(s), as carried by the following vote:

AYES:

NOES:

ABSENT:

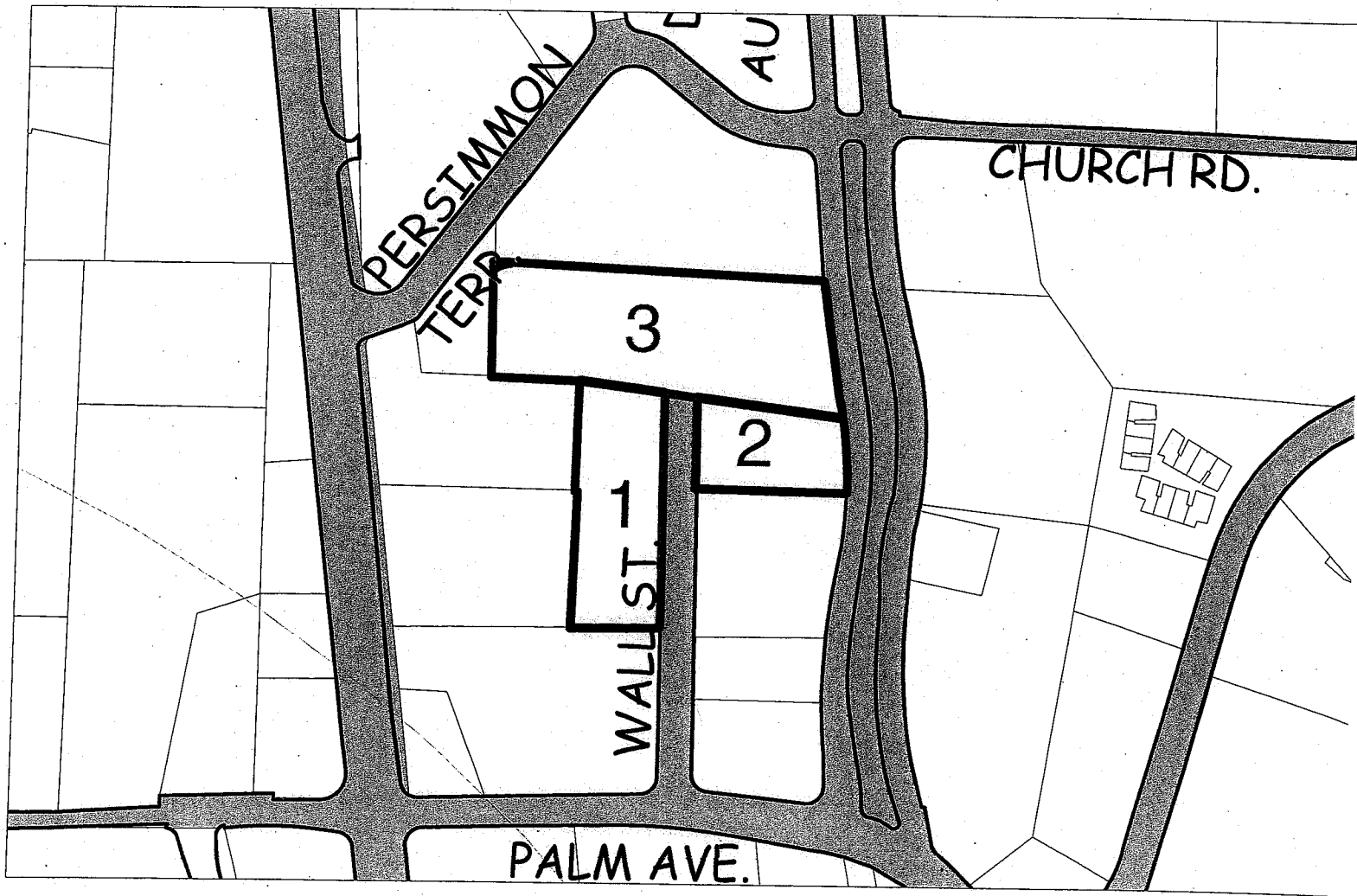
ABSTAIN:

PASSED AND RECOMMENDED this 2nd day of July, 2013.

Chairman, Planning Commission
of the City of Auburn, California

ATTEST: _____
Community Development Department

Wall Street Emergency Shelter Overlay



The motion was **APPROVED**

Chairman Spokely explained to the public that the proposal was forwarded to City Council with a recommendation against approval of the ES overlay for the Nevada Street site.

- C. REZONE – EMERGENCY SHELTER OVERLAY (555/570/580 WALL STREET) – FILE# RE 13-2.** The City of Auburn is proposing to apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street. With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties as a use permitted by right, subject to development standards, in addition to all other existing uses permitted by the underlying zone(s).

Planner Murray presented the Emergency Shelter (ES) overlay rezone proposal for the Wall Street project area. He reviewed the properties that make up the project area as well as the existing zoning and land uses of the project area and the surrounding properties. Planner Murray summarized the ES zoning overlay and noted that the overlay is added to the existing zoning. He noted that the properties associated with the project area would be appropriate to accommodate an emergency shelter.

Commissioner Worthington noted that Lot 3 of the project area has existing entitlements approved for the site and asked how the overlay zone affects the entitlements if they were to expire.

Planner Murray stated that the overlay has no effect on the status of the entitlements.

Chairman Spokely asked if there was any outreach by the City to the property owners in the project area.

Planner Murray stated that he was not aware of any outreach to the property owners.

Chairman Spokely opened the public hearing.

Suzi Defosset with The Gathering Inn offered a suggestion that the City consider applying the ES zone district overlay to the entire City.

Kevin O'Connell, 560 Wall Street, commented on the suggestion by Ms. Defosset and noted that the City would have no control with the citywide overlay. He referred to concerns expressed by Commissioner Willick earlier in the hearing and suggested that the City needs to do the right thing by looking at alternative locations such as the juvenile hall and the World War II barracks (in Placer County). Mr. O'Connell also stated that he believed the regional approach to be the practical solution. He then reviewed the properties on Wall Street and stated that the Wall Street area is not an appropriate location. Mr. O'Connell requested that staff provide him with the list of names used for the public notice of this item.

Jan Haldeman, 5085 Eagles Nest, stated that he is a property rights advocate and is also on the Salvation Army advisory board. He acknowledged that the City's efforts to address the homeless shelter issue are worthy, but suggested that the City Council's selection of the Nevada Street and Wall Street properties may not be the best options. He noted that the Nevada Street properties are nice commercial lots for future development and the Wall Street locations are not the place for the homeless given current uses in the area. Mr. Haldeman questioned why the City Council didn't consider the Auburn Airport and suggested that the City consider rezoning church sites and the Salvation Army's location so that they could house the homeless.

Commissioner Worthington asked about the Salvation Army's operations.

Mr. Haldeman commented that the Salvation Army's focus is to assist the homeless, but noted that they are not allowed to feed or house the homeless at their current site on Sutter Street due to the existing zoning.

Commissioner Worthington asked what zone district the Salvation Army site is situated in.

Planner Murray stated that the Salvation Army site is located in the Single-family Residential (R-1) zone district.

Virgil Trainor addressed the Commission. He stated that he believes that Wall Street is not the place to care for the homeless. Mr. Trainor noted that he has given the Salvation Army over 2,000 pounds of fresh vegetables. He recommended that the City not approve the overlay zoning on the Wall Street lots and that it look elsewhere to apply the overlay zone.

Jackie Trainor commented about being notified of the Commission hearing. She stated that she received public notice of the hearing on the Wednesday before the Commission hearing and commented that she socializes with members of the City Council and no one had mentioned the zone overlay proposal. Mrs. Trainor stated that she is opposed to the Wall Street location because she feels the overlay zone would decrease their property values and would also restrict them from moving forward with their plans to develop their lot if it has the ES overlay.

Chairman Spokely closed the public hearing.

Chairman Spokely thanked the public in the audience for attending the Commission hearing and noted that this is an important item and that the Commission is trying to figure out how to deal with State requirements.

Chairman Spokely asked staff if the City could fulfill its SB 2 obligations by rezoning the churches in the community so that they could house the homeless.

Planner Murray stated that it might be possible to satisfy the SB 2 requirements, but it would depend on the City identifying a sufficient number of adequate sites.

Director Wong commented that public notice would need to be provided for each potential site selected, so the noticing process for the public hearings would be extensive.

Chairman Spokely stated he wasn't aware of the various options previously considered by the City Council, but he likes the idea of the overlay zone process in that it allows the City to be more surgical in finding the right locations in our community. He recognized the need for homeless shelters and understands the deadlines the City faces, but thought the City is rushing to a decision on the issue. He stated that he is not aware of all the research used by the Council in their decision to identify the Nevada Street and Wall Street sites. Chair Spokely commented that he does not see the Wall Street site as a good location. He observed that the two options currently being considered include seven lots and wonder if there might be seven churches in town who might want to participate with the overlay process.

Director Wong noted that the City Council considered multiple sites in town and few, if any, would be less controversial. Staff did not provide Council with data on the R-1 zone due to prior concerns about setting buffers from shelter; and, Council chose not to include any single-family neighborhoods, which is where churches are typically located.

Commissioner Worthington stated that churches may not be able to meet the requirements to provide for a permanent shelter.

Chairman Spokely commented that a church could be modified to accommodate a permanent shelter.

Planner Murray reiterated that the City would have to identify a sufficient number of church sites and that the issue of the number of sites was considered by the Council previously.

Commissioner Worthington commented that the Wall Street project area isn't appropriate due to surrounding uses and characteristics of the project area such as topography.

Commissioner Worthington **MOVED** to recommend denial of the Rezone for the Emergency Shelter (ES) overlay zone at 555/575/580 Wall Street.

Commissioner Willick **SECONDED** the motion.

AYES:	Spokely, Willick, Worthington
NOES:	None

ABSTAIN: None
ABSENT: Luebke, Vitas

The motion was **APPROVED**.

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

Director Wong reported that the Emergency Shelter overlay ordinance and the two rezone requests on this agenda are scheduled for review by the City Council on July 22, 2013.

B. Future Planning Commission Meetings

None

C. Reports

None

VII. PLANNING COMMISSION REPORTS

The purpose of these reports is to provide a forum for Planning Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

Commissioner Worthington stated that the City of Auburn has been included in Caltrans' new guide called Main Street California as an example of downtown redevelopment which demonstrates complete streets, livability and sustainability principles for multi-modal transportation.

VIII. FUTURE PLANNING COMMISSION AGENDA ITEMS

Planning Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

None

IX. ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Susan Whitaker
165 Russell Road
Auburn, Ca. 95603
530-885-6821

RECEIVED

July 12, 2013

City of Auburn City Council
1225 Lincoln Way
Auburn, Ca. 95603

JUL 12 2013

Name: *[Signature]*

Re: Proposed Amendment to the Municipal Code to establish the Emergency Shelter overlay zone.

Honorable Members of the Auburn City Council:

I am writing to express my support for a City ordinance which would apply the proposed emergency shelter zoning to the properties located off of Nevada Street and Wall Street in Auburn.

I have been a resident of Auburn for the last twenty-four years, and I currently live immediately outside of the city limits. I have operated my business, Canyon Spirit Yoga Center, at 538 Auburn Ravine Road in Auburn for the last fourteen years. My business is located almost directly across the street from the Wall Street property which is proposed for the overlay zone.

As a business owner in the Wall Street neighborhood where the proposed emergency shelter zone would go into effect, I wish to say – Yes In My Back Yard. I support the proposed zoning location, and I think that Auburn should extend the zoning overlay to other areas as well.

For many years I have seen homeless people around the Wall Street/Auburn Ravine area, so I know that there is a need for a shelter. The homeless people in this area have never caused problems for me or my business. Also, I have been a supporter and donor of The Gathering Inn shelter program for many years. I think that the City of Auburn should show some compassion toward the homeless, and should not take any action which will make the operation of The Gathering Inn program more difficult.

Thank you for your consideration.

Susan Whitaker
Susan Whitaker

ATTACHMENT 3

ORDINANCE NO. 13 - _____

**AN ORDINANCE APPLYING THE EMERGENCY SHELTER (ES) OVERLAY ZONE
TO 555/570/580 WALL STREET (APN: 001-012- (006, 037, AND 057))**

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

- A. Whereas the City of Auburn City Council adopted the following findings of fact for the Initial Study and Negative Declaration prepared for the Rezone to apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012- (006, 037, and 057)):
1. The City Council, on the basis of the whole record before it (including the initial study and any comments received) finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the lead agency's independent judgment and analysis.
 2. All documents and materials relating to the proceedings for the project are maintained in the City of Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.
- B. Whereas the City of Auburn City Council adopted the Initial Study and Negative Declaration prepared for the Rezone to apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012- (006, 037, and 057)).
- C. Whereas the ordinance for the Rezone to apply the Emergency Shelter (ES) overlay zone to the properties at 555/570/580 Wall Street (APN: 001-012- (006, 037, and 057)) is:
1. Consistent with the General Plan; and
 2. Consistent with the public interest, health, safety, and welfare of the City.
- D. Whereas the ordinance implements the requirements of Senate Bill 2 for the provision of adequate sites for emergency shelters for the homeless.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY ORDAIN:

Section One: The Zoning Map of the City of Auburn, adopted by reference by Section 159.017 of Chapter 159 of Title XV of the Auburn Municipal Code, is hereby amended to include the Emergency Shelter (ES) overlay zone on the properties at 555/570/580 Wall Street (APN: 001-012- (006, 037, and 057)).

Section Two: The above-referenced property is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

Section Three: All requirements of the California Planning Act, the California Environmental Quality Act, and of Chapter 159 of Title XV of the Auburn Municipal Code, including hearings upon property notice, have been fully complied with by the Planning Commission and the City Council in the adoption of this zoning amendment.

Section Four: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Five: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Six: If any part of this Ordinance is held to be invalid, such invalidity shall not affect any other provision which reasonably can be given effect without regard to the invalid provision and, to that end, the provisions of this Ordinance are hereby declared to be severable.

DATED: _____, 2013

Kevin Hanley, Mayor

ATTEST:

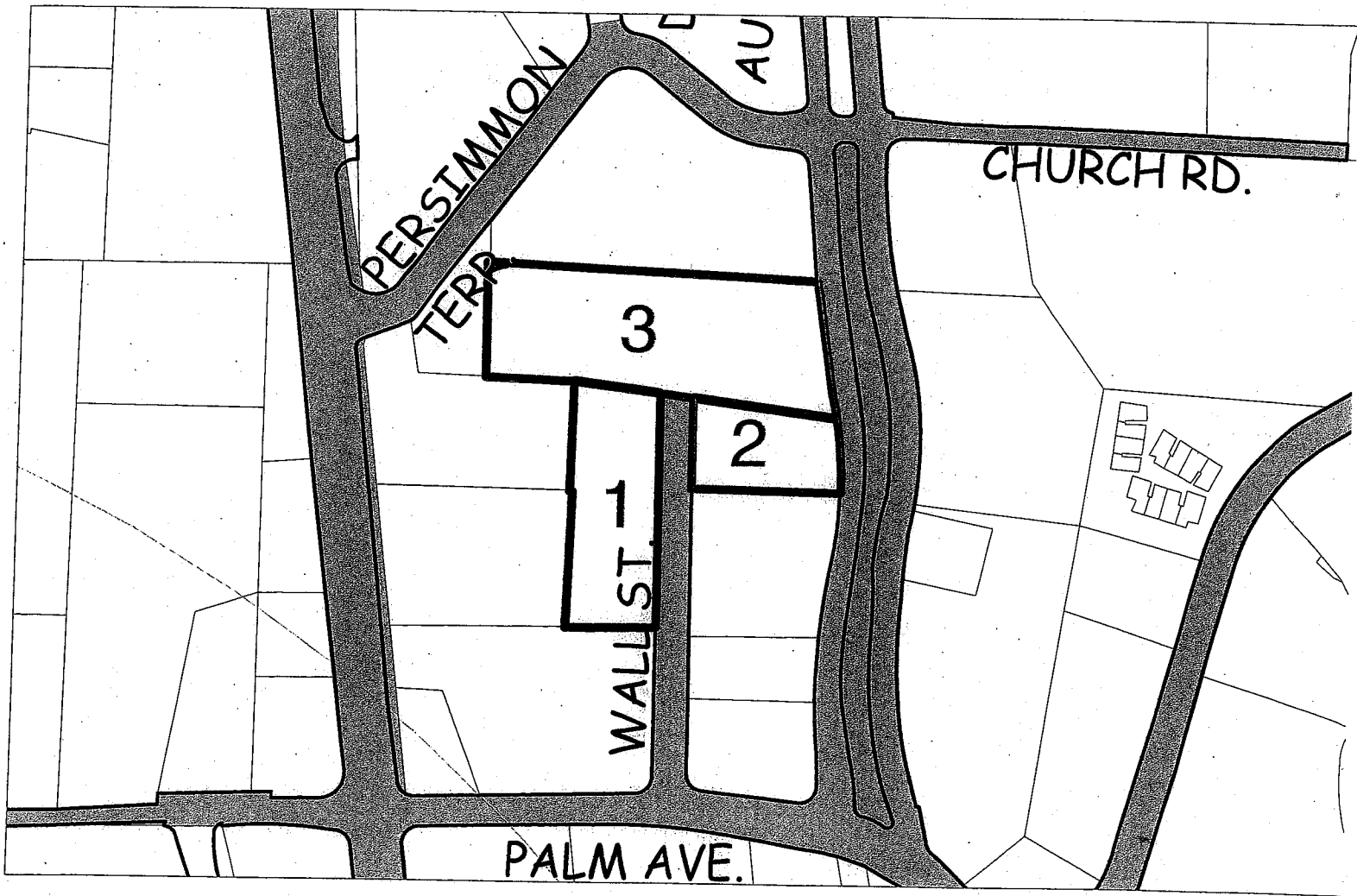
Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular session meeting of the City Council of the City of Auburn held on the _____ day of _____ 2013 by the following vote on roll call:

Ayes:
Noes:
Absent:

Stephanie L. Snyder, City Clerk

Wall Street Emergency Shelter Overlay





CITY OF AUBURN

Community Development Department

1225 LINCOLN WAY • AUBURN, CA 95603 • PHONE (530) 823-4211 • FAX (530) 885-5508

EXHIBIT B

NOTICE OF INTENT NEGATIVE DECLARATION

Project: Emergency Shelter Overlay Rezone – Nevada Street (455 Nevada Street)
Emergency shelter Overlay Rezone – Wall Street (555/570/580 Wall Street)

File No.: RE 13-01 (Nevada Street)
RE 13-02 (Wall Street)

Applicant: City of Auburn

Description of Project: The City of Auburn is proposing to Rezone two project areas to include the Emergency Shelter (ES) Overlay zone. The Emergency Shelter Overlay Zone is a combining zone that will be applied to all of the properties in the project areas (described above). The ES overlay zone will allow emergency shelters as a use permitted by right, without the necessity of a discretionary use permit. The addition of this use type will be in addition to all other existing used permitted by the underlying zone(s). The Emergency Shelter Overlay zone defines an Emergency Shelter as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less and includes standards as permitted by the California Government Code, including but not limited to, occupancy (maximum of twenty (20) persons), parking, on-site management standards, and facility services (e.g. common area, laundry, showers, storage, and telephones).

Project Location: 455 Nevada Street and 555/570/580 Wall Street


Assessor's Parcel Number: Nevada Street (038-150-(002, 006, 007) and 038-250-014))
Wall Street (001-012-(006, 037, and 057))

Statement: A review of the information submitted and additional investigation by the Community Development Department indicates that this project WILL NOT have a significant adverse impact on the environment as detailed in the Initial Study.

Review Period: 6/13/13-7/2/13

Public Hearing Date: The public hearing for this project is tentatively scheduled for review by the Auburn Planning Commission on Tuesday, July 2, 2013 at 6:00 p.m. in the Auburn City Council chambers, 1225 Lincoln Way, Auburn, CA 95603.

Document Availability: Copies of the proposed Negative Declaration are available for review at, and comments can be submitted to, the Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.


Reviewer: Reg Murray, Senior Planner
Auburn Community Development Department

6/13/13
Date



**CITY OF AUBURN
COMMUNITY DEVELOPMENT DEPARTMENT**

Initial Study

Emergency Shelter Overlay Rezones

**455 NEVADA STREET
(File RE 13-01)**

**555/570/580 WALL STREET
(File RE 13-02)**

June 13, 2013

City of Auburn

Emergency Shelter Overlay Rezones

455 Nevada Street - File RE 13-01
555/570/580 Wall Street - File RE 13-02

Background:

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 to require that jurisdictions (i.e. Cities and Counties) plan for and accommodate emergency shelters by right, without the necessity of a discretionary permit. An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. SB 2 requires that jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters shall be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit). One acceptable alternative to the selection of a zone district is the ability to designate locations for emergency shelters through the use of an overlay zone.

On Monday, May 13, 2013 the City of Auburn City Council met to consider options for allowing emergency shelters in conformance with SB 2. The Auburn City Council decided to allow emergency shelters through the use of an Emergency Shelter (ES) overlay zone instead of by zone district. The City Council identified two general areas, one on Nevada Street and one on Wall Street, where the ES overlay zone would be applied (noted above). The Nevada Street location includes four parcels while the Wall Street location includes three parcels (described below).

Initial Study:

The City of Auburn prepared this Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study). This initial study assesses the potential environmental impacts associated with the two Rezone proposals noted above that would add the Emergency Shelter (ES) Overlay zone designation to the existing zoning at the two locations described herein.

The ES Overlay zone would add emergency shelters as a use permitted by right (i.e. without the necessity of a discretionary use permit), subject to the requirements of *Sections 159.047 et. seq.* and *159.380 et. seq.* of the Auburn Municipal Code (AMC), in addition to all other existing uses permitted by the underlying zone(s) at each location.

The analysis provided herein is only associated with the addition of the emergency shelter use type associated with the Emergency Shelter Overlay zone; and, is not associated with any specific development request. Any subsequent requests for emergency shelters requiring new construction would necessitate separate entitlements (e.g. Design Review) and would have their own separate environmental review.

Public Review:

This Initial Study/Mitigated Negative Declaration will be circulated for a **20-day** public review commencing **June 13, 2013**. Copies of this Initial Study and cited References may be obtained at the City of Auburn Community Development Department at the address noted below. Written comments on this Initial Study/Negative Declaration may also be addressed as noted below:

Project title: Emergency Shelter Overlay Rezones (Files RE 13-01; RE 13-02)

Lead agency name and address:

City of Auburn Community Development Department
1225 Lincoln Way, Room 3
Auburn, CA 95603

Contact person, phone number, and e-mail:

Reg Murray, Senior Planner
1225 Lincoln Way, Room 3
Auburn, CA 95603
530-823-4211 x 140
rmurray@auburn.ca.gov

Project location(s):

The Emergency Shelter Overlay Zone is proposed for two locations in the City of Auburn:

Nevada Street (File RE 13-01): The Nevada Street site consists of four properties totaling approximately ±35 acres (**Attachments 1 & 3**). The subject properties are generally located at 455 Nevada Street, immediately west of the Signature Theater (APNS: 038-150-(002, 006, 007) and 038-250-014).

Wall Street (File RE 13-02): The Wall Street site consists of three parcels totaling approximately ±3.78 acres (**Attachment 2 & 3**). The subject properties are located at 555, 570 and 580 Wall Street, north of the Wall Street/Palm Avenue intersection (APNS: 001-012-(006, 037 and 057)).

Project sponsor's name and address:

City of Auburn, Community Development Department
1225 Lincoln Way, Room 3
Auburn, CA 95603

General Plan and Zoning designations – Nevada Street:

General Plan Land Use Designations: The land use designations for the project site include Urban Low Density Residential (ULDR) and Mixed Use (MU). The Urban Low Density

Residential allows single family dwellings and accessory buildings up to a density of four dwelling units per acre. The Mixed Use designation allows for combination of commercial uses and higher density residential uses. Land use designations for the adjacent properties include:

North: Commercial (COMM)
East: MU
South: High Density Residential
West: ULDR

Zoning Designation: Three zone districts are applicable to the project area (Attachment 1), including the Single-family Residential (R-1) zone, the Medium Density Multiple-family Residential (R-3) zone, and the Neighborhood Commercial (C-1) zone. The R-1 zone primarily allows for single-family residential uses; the R-3 zone allows for a variety of residential uses including high density multiple family development (e.g. apartments; condominiums); and the C-1 zone allows for a variety of lower intensity commercial uses. Zoning for the adjacent properties include:

North: Placer County – General Commercial w/ design review (C2-Dc)
East: Central Business District (C-2) commercial
South: R-3
West: R-1

Surrounding Land Uses: The project site is vacant except for one single family dwelling. Land use on adjacent properties includes:

North: Retail
East: Autobody shop; transitional housing; vacant commercial; movie theater; and office/commercial center
South: Palm Terrace apartments
West: PG&E irrigation bypass; vacant residential

General Plan and Zoning designations – Wall Street:

General Plan Land Use Designations: The General Plan Land Use designation for the subject Wall Street properties is split between Commercial (COMM) and High Density Residential (HDR). The Commercial designation allows for a full range of commercial uses including neighborhood community and regional commercial as well as apartments and rental housing. The High Density Residential allows an array of residential uses up to 15 units per acre. Land use designations for the adjacent properties include:

North: HDR
East: COMM
South: COMM
West: COMM

Zoning Designation: Two zone districts apply to the project area (Attachment 2), including the Regional Commercial (C-3) and Multiple-Family (R-3) zone districts. The C-3 zone allows a wide variety of commercial, retail, and office uses; while the R-3 zone allows for a variety of residential uses including high density multiple family development (e.g. apartments; condominiums).

North: R-3
East: C-1
South: C-3
West: C-3

Surrounding Land Uses: The 555 Wall Street address contains a vacant auto repair shop, while the properties at 570 and 580 Wall Street are vacant, undeveloped lots.

North: Multiple-family apartments
East: Multi-family senior apartments; offices
South: Commercial and office
West: Commercial

Environmental Setting – Nevada Street

The Nevada Street site is located in the northwestern fringe of the Auburn City limits on Nevada Street, northwest of the intersection with Palm Avenue and State Route 49 (Attachment 1). The four lots comprising the site are largely undeveloped with the exception of one single-family residence at 455 Nevada Street. The site consists of gently rolling topography with a small number of trees and grasses.

Aesthetics: Views west of the site consist of a PG&E irrigation pond and vacant residential property within the City Limits, and low-density single-family development in the unincorporated portions of Placer County. A movie theatre (Century Theatre) can be viewed to the east along with an office park and church. There are no scenic vistas in the project vicinity.

Air Quality: The proposed project area is within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is classified as a severe non-attainment area for federal standards for ozone. Placer County is also designated as a serious non-attainment area for State ozone ambient air quality standards and non-attainment for State particulate matter standards (CARB 2006).

Biological Resources: A biological resources survey has not been prepared for the project, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Cultural Resources: A cultural resources study has not been prepared for the project, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project. Based on prior site disturbance, no significant resources are anticipated on the site.

Circulation: The project area has access to Nevada Street, which is a two lane arterial that runs north/south connecting to Hwy 49 to the North and Interstate 80 to the South.

Geology and Soils: A geotechnical report has not been prepared for the project site, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project. There are no Alquist-Priolo mapped earthquake fault zones within the project area. The Cleveland Hills Fault, located approximately 36 miles northwest of Auburn, is the nearest known active fault.

Hazards and Hazardous Materials: A preliminary search of available environmental records on the Placer County Environmental Health web-site indicated that the project site is not listed in any database of hazardous materials sites. Hazardous materials in the vicinity of the project site would include products commonly used for household maintenance and cleaning and those commonly used for construction.

Hydrology and Water Quality: No natural waterways occur on the project site. A hydrologic study may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Land Use and Zoning: The Nevada Street project site has a land use designation of Urban Low Density Residential (ULDR) and Mixed Use Commercial (MU COMM) and is within the Residential, Single Family, minimum 10,000 square foot and Neighborhood Commercial & Medium Density Multiple-Family Residential zoning district.

Noise: The site includes one single family residence, and there are no noise generating land uses located within the vicinity of the project area.

Utilities: Underground utilities and infrastructure have been constructed in conjunction with existing adjacent development on Nevada Street. These improvements include municipal sanitary sewer lines, PCWA water lines, underground communication lines, and a storm drain system. No curb, gutter and sidewalk have been constructed on the west side of Nevada Street fronting the project site.

Environmental Setting – Wall Street

The Wall Street project area is located on Wall Street just north of the Wall Street/Palm Avenue intersection (*Attachment 2*). The property at 555 Wall Street is developed with an existing automotive service building; the building is not currently occupied. The 570 Wall Street property is an undeveloped commercial lot that is roughly 0.63 acres in size. The front two-thirds of the site is largely open and flat, while the rear of the lot slopes away from Wall Street and is covered with native trees. The property at 580 Wall Street is vacant and undeveloped; the site includes a slope of $\pm 10\%$ from west to east, and includes several trees. The project area is accessed by Wall Street, a 36-foot wide roadway with existing curb, gutter and sidewalks on both sides of the street.

Aesthetics: Views from the Wall Street properties consist of retail, automotive and offices uses adjoining the site to the south, east and west. An apartment complex can be viewed looking north. There are no scenic vistas viewed from the Wall Street properties.

Air Quality: The proposed project area is within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is classified as a severe non-attainment area for federal standards for ozone. Placer County is also designated as a serious non-attainment area for State ozone ambient air quality standards and non-attainment for State particulate matter standards (CARB 2006).

Biological Resources: A biological resources survey has not been prepared for the Wall Street project area. Development of adjacent properties has not detected biological resources in the vicinity of the project site. Accordingly, it is not anticipated that significant biological resources exist on the two undeveloped properties. A biological resources survey may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Cultural Resources: A cultural resources study has not been prepared for the project. However, with the exception of the 2 vacant properties, the project area is built out with urban uses. Development of adjacent properties has not detected or unearthed cultural resources in the vicinity of the project site. Accordingly, it is not anticipated that cultural resources exist on the two undeveloped properties. A cultural resources survey may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Circulation: The site is accessed via Palm Avenue and Wall Street, which are two lane roads with curb, gutter and sidewalk on each side of the roadway. Palm Avenue connects to State Highway 49 (a.k.a. Grass Valley Highway) to the west and Auburn Ravine Road to the east. State Hwy 49 is a 4 lane north/south highway with an intermediate shared turn lane. Auburn Ravine Road is a two lane north/south roadway that connects with Elm Avenue just north of Interstate 80 (I-80).

Geology and Soils: A geotechnical report has not been prepared for the project site, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project. There are no Alquist-Priolo mapped earthquake fault zones within the project area. The Cleveland Hills Fault, located approximately 36 miles northwest of Auburn, is the nearest known active fault.

Hazards and Hazardous Materials: A preliminary search of hazardous materials sites was checked on the Placer County Environmental Health web-site. No hazardous materials sites have been identified. Hazardous materials in the vicinity of the project site would include products commonly used for automotive and industrial/commercial and household maintenance and cleaning and those commonly used for residential and/or commercial construction.

Hydrology and Water Quality: No natural waterways occur on the project site. A hydrologic study may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Land Use and Zoning: The Wall Street project area has a land use designation of High Density Residential (HDR) and Commercial (COMM); while the zoning designations include the Regional Commercial (C-3) and Multiple-Family (R-3) zone districts. A 31-unit condominium development was approved by the City in July 2006 (File DRP 05-7) for the vacant 2-acre lot at 580 Wall Street; the facility has not been constructed to date and the project entitlements are valid thru July 2015.

Noise: Noise in the vicinity of the project site consists of typical noise generated with retail, automotive and office uses. There are no significant noise-generating uses in the project vicinity that may impact the proposed Emergency Shelter Overlay zone. Site specific noise issues may be addressed as part of a subsequent Emergency Shelter project.

Utilities: Utilities have been constructed for the project site as a result of development on adjoining properties. These include municipal sanitary sewer lines, PCWA water lines, overhead communication and PG&E lines, and a storm drain system.

PROJECT DESCRIPTION:

The City of Auburn is proposing to Rezone two project areas to include the Emergency Shelter (ES) Overlay zone. The Emergency Shelter Overlay Zone is a combining zone that will be applied to all of the properties in the project areas (described above). The ES overlay zone will allow emergency shelters as a use permitted by right, without the necessity of a discretionary use permit. The addition of this use type will be in addition to all other existing used permitted by the underlying zone(s).

The Emergency Shelter Overlay zone defines an Emergency Shelter as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less and includes standards as permitted by the California Government Code, including but not limited to:

1. Occupancy – maximum of twenty (20) persons;
2. Parking – one space per staff and one spacer per ten residents
3. On-site management standards
4. Facilities services including common area, laundry, showers, storage, and telephones

Entitlements:

The following project entitlements will be considered by the Auburn City Council upon recommendation by the Auburn Planning Commission:

1. **Rezone (File RE 13-01) – 455 Nevada Street.** A Rezone request that would apply the Emergency Shelter (ES) overlay zone to the properties at 455 Nevada Street (APNs: 038-150-(002, 006, 007) and 038-250-014). With the ES overlay zone, permanent

emergency shelters for the homeless would be allowed on the subject properties as a use permitted by right, subject to development standards, in addition to all other existing uses permitted by the underlying zone(s).

2. **Rezone (File RE 13-02) – 555/570/580 Wall Street.** A Rezone request that would apply the Emergency Shelter (ES) overlay zone to the properties at 555, 570, and 580 Wall Street (APNs: 001-012-(006, 037, and 057)). With the ES overlay zone, permanent emergency shelters for the homeless would be allowed on the subject properties as a use permitted by right, subject to development standards, in addition to all other existing uses permitted by the underlying zone(s).

Regulatory Setting:

No Responsible and/or Trustee Agency permits are required.

Required Agency Approvals:

City of Auburn Planning Commission – Review and provide recommendations to the Auburn City Council for the Emergency Shelter overlay Rezone entitlements at 455 Nevada Street and 555/570/580 Wall Street.

City of Auburn City Council –

- Rezone (File RE 13-01) – Approval of Emergency Shelter overlay zone at 455 Nevada Street.
- Rezone (File RE 13-02) – Approval of Emergency Shelter overlay zone at 555/570/580 Wall Street.

Initial Study

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except “NO Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to a project like the one involved (e.g. the project falls outside a fault rupture zone). A “NO Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) **“Potentially Significant Impact”** is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) **“Potentially Significant Unless Mitigation Incorporated”** applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) **“Less-Than-significant Impact:”** Any impact that is expected to occur with implementation of the project, but to a less than significant level because it would not violate existing standards.
- 6) **“No Impact:”** The project would not have an impact to the environment.
- 7) Earlier analyses may be used where, pursuant to Tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration.
- 8) Lead agencies are encouraged to incorporate into the checklist reference to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning Housing | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> None |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

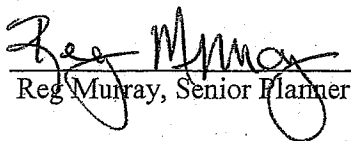
☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

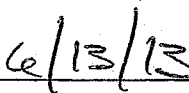
☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Reg Murray, Senior Planner


Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

I. AESTHETICS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a)-c) No scenic vistas are located in either of the Nevada Street or Wall Street project areas. The proposed zoning to add the emergency shelter use type would result in no adverse changes to any scenic vistas at either project area. Emergency shelters are consistent with other existing use types currently allowed in the project areas, therefore, shelters would not create any new impacts. Neither project site is within the view shed of any state-designated scenic highway.
- d) The Rezone for the Emergency Shelter overlay zone will not introduce any new light sources to either project area. Light sources for emergency shelters will be consistent with the other use types currently allowed at each site and will be required to comply with the City's lighting standards. In the future, any proposed development will be reviewed against the City's standards and may have conditions of approval requiring that light fixtures be designed to reduce light and glare on adjacent properties and include glare screens when appropriate.

Mitigation Measures

No mitigation measures are necessary.

II. AGRICULTURE RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a)-e) Both project areas include land zoned for commercial and residential uses. No agricultural or timberland activities currently occur on site or in the project vicinity. No land designated by the state of California as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance occurs on either project site. Neither site is under a Williamson Act contract.				

Mitigation Measures

No mitigation measures are necessary.

III. AIR QUALITY --

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located in the Sacramento Valley Air Basin, and under the jurisdiction of the Placer County Air Pollution Control District. The region is in non-attainment for state and federal ozone standards, the federal particulate matter (PM2.5) standard, and the state particulate matter (PM10) standard, but meets all other state and federal air quality standards.

- a)-e) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. The emergency shelter use type is consistent with other existing use types in the existing zones applicable to the project sites; and, the use type does not result in any specific significant impacts to air quality. Air quality impacts, along with associated mitigation measures, associated with potential new development in the future will be evaluated and addressed at the time of the proposed development.

Mitigation Measures

No mitigation measures are necessary.

IV. BIOLOGICAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-f) No candidate, sensitive, or special status species are known to exist on either project site. Neither project area has any riparian habitat or other sensitive natural communities, including protected wetlands. Addition of the emergency shelter use type to the list of permitted uses in both project areas will not affect any biological resources, nor conflict with local policies or ordinances protecting biological resources or any habitat conservation plans. Neither project will affect the movement of wildlife species. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.				

Mitigation Measures

No mitigation measures are necessary.

V. CULTURAL RESOURCES –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a-d) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. Addition of the emergency shelter use type to the list of permitted use types does not have the potential to affect the significance of any historic or archaeological resource. The proposals will not destroy paleontological or geologic resources or disturb human remains. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.

Mitigation Measures

No mitigation measures are necessary.

VI. GEOLOGY AND SOILS –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in the Building Code, creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- a-d) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. Addition of the emergency shelter use type to the list of permitted use types does not expose persons to potential geologic-related hazards. Emergency shelters are consistent with other existing use types currently allowed in the project areas, therefore, shelters would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- e) Sanitary sewer service is available to both projects areas; therefore, there are no potential impacts associated with septic systems.

Mitigation Measures

No mitigation measures are necessary.

VII. GREENHOUSE GASES –

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| a) Generate Greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- a-b) The proposed project is not anticipated to generate greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment.

Mitigation Measures

No mitigation measures are necessary.

VIII. HAZARDS AND HAZARDOUS MATERIALS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Auburn City Fire Department responds to all calls for emergency services within City limits that include, but are not limited to: fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's fire station on Sacramento Street is located ±1.25 miles from both project areas on Sacramento Street and is staffed 24 hours a day. The City also has mutual aid agreements with adjacent fire service districts.

- a-b) An emergency shelter will not use, transport, store, or dispose of hazardous materials beyond those typical used in association with landscape, maintenance and household cleaning purposes. The materials would not pose a hazard to residents or the public.

- c) No school is located within one-quarter mile of the project site; therefore, no impact related to project proximity to schools would result.
- d) The Placer County Department of Environmental Health website does not identify the use of hazardous materials at either project area.
- e-f) The project area is not within an airport land use plan and is not within two miles of any airport, and would therefore have no impact on the safety of people residing or working in the project area due to proximity to an airport
- g) The proposed project would not adversely affect implementation of the City's emergency response plan and would not require update of the CAD emergency response system currently in use by the City.
- h) Neither project area is located in, or adjacent to, a wild lands area. As noted above, fire service is provided by the City of Auburn with mutual aid from adjacent fire districts.

Mitigation Measures

No mitigation measures are necessary.

IX. HYDROLOGY AND WATER QUALITY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The City of Auburn receives an average of 34 inches of rainfall annually. Rainfall can vary substantially from year to year. At the Auburn recording station, annual precipitation has varied from 14 to 65 inches over the past 50 years. Rainfall is concentrated during winter months with almost 90 percent of annual precipitation typically occurring between November and April (*Placer County 2005*). Site soils fall into Hydrologic Soils Group D, which are soils characterized as having a slow infiltration rate, and thereby a high runoff potential (*Soil Survey of Placer County, California 1980*).

- a-f) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. Addition of the emergency shelter use type to the list of permitted use types does not expose persons to potential geologic-related hazards. Emergency shelters are consistent with other existing use types currently allowed in the project areas, therefore, shelters would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- g-i) Both project areas are located in Flood Zone X (areas determined to be outside the 500-year flood plain) according to the Flood Insurance Rate Map for the County of Placer, Map No. 06061C0426 F dated June 8, 1998. The project areas are not within any mapped flood hazard area and would have no impact on exposure of people or structures to a significant risk of loss, injury or death involving flooding.
- j) The project area is not located within an area subject to inundation by seiche, tsunami, or mudflow; therefore, there are no impacts.

Mitigation Measures

No mitigation measures are necessary.

X. LAND USE AND PLANNING —

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | | |
| a) The addition of the zoning overlay on each of the two project areas will not physically divide an established community. No impacts would result from project implementation. | | | | |
| b) The Rezone of both project areas to include the Emergency Shelter overlay zone is consistent with the City's adopted Housing Element and in accordance with Housing Element law. Subsequent development of the Wall or Nevada Street sites will be in accordance with the City of Auburn Zoning Ordinance and related development standards. | | | | |
| c) There are no habitat conservation plans or natural community conservation plans for either project area. | | | | |

Mitigation Measures

No mitigation measures are necessary.

XI. MINERAL RESOURCES —

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a-b) Although gold deposits are known to remain in the foothills area, no known mineral resources of value to the region or residents of the state are known to exist within the boundaries of the proposed project area. No known mine sites are or have historically been located on the subject properties. The proposed project would not result in the loss of availability of any known mineral resource.

Mitigation Measures

No mitigation measures are necessary.

XII. NOISE—

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-d) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. Addition of the emergency shelter use type to the list of permitted use types will not expose persons to potential noise-related hazards. It is anticipated that noise levels generated by the proposed project would not exceed standards established in the City of Auburn General Plan and would be consistent with, and compatible to, uses adjacent to the site. Proposed development in the future will be reviewed and evaluated to determine project specific impacts and associated mitigation measures.				
e-f) The proposed project is not located within an airport land use plan or within two miles of any public airport or private airstrip.				

Mitigation Measures

No mitigation measures are necessary.

XIII. POPULATION AND HOUSING –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project will bring the City's Housing Element into compliance with Housing Element law and will make it easier to provide housing for the homeless population in the City of Auburn.

- a) An emergency shelter in either, or both, of the project areas will not induce population growth. Any shelters provided as a result of the Emergency Shelter overlay zone would serve the existing needs of the homeless community.
- b-c) Other than one single-family home on the Nevada Street site, and a vacant automotive service building on the Wall Street site, the remaining lots in both project areas remain undeveloped. As such, any potential emergency shelter resulting from the Emergency Shelter overlay zone would not displace substantial numbers of people or housing.

Mitigation Measures

No mitigation measures are necessary.

XIV. PUBLIC SERVICES –

Would the project:

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically

XIV. PUBLIC SERVICES —

altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fire Protection: Fire service for the project areas is provided by the Auburn City Fire Department. Auburn Fire also has mutual aid agreements with other fire protection agencies to aid in emergency response, including the California Department of Forestry & Fire Protection (Cal Fire), the Newcastle Fire Protection District, and Placer County Fire.

Police Protection: The project area is within the jurisdiction of the City of Auburn Police Department. The existing police department facility was planned to accommodate the law enforcement needs of population growth within the project area (General Plan Environmental Impact Report 1993). Additional law enforcement assistance is provided within the area by the Placer County Sheriff's Department and the California Highway Patrol.

Schools: The proposed project lies within the Auburn Union Elementary and Placer Union High School District. Children residing in the project vicinity attend Skyridge Elementary School, E.V. Cain Middle School or Placer High School, according to their age group.

Parks: Park facilities within City limits are maintained by the Auburn Recreation District. The Auburn State Recreation Area is located outside the City limits approximately one mile east of the project areas.

Other Public Facilities: Operation of an emergency shelter will not substantially impact other public facilities (libraries; roads).

- a) Addition of the emergency shelter use type to the list of permitted use types will not impact public services. Emergency shelters are consistent with other existing use types currently allowed in the project areas, therefore, shelters would not create any new impacts. Any new development to provide an emergency shelter will pay all appropriate impact fees at the time of permit issuance.

Mitigation Measures

No mitigation measures are necessary.

XV. RECREATION –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect recreational facilities and will not generate the need for additional park facilities.

Mitigation Measures

No mitigation measures are necessary.

XVI. TRANSPORTATION/TRAFFIC –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC –

(e.g., farm equipment)?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-g) Many of the occupants using an emergency shelter lack their own transportation, and staffing is minimal. Both project sites are on a bus transit route and are within walking distance of areas with commercial services. No impacts to transportation and/or traffic are anticipated with the proposed project.

Mitigation Measures

No mitigation measures are necessary.

XVII. UTILITIES AND SERVICE SYSTEMS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be-served by a landfill with sufficient permitted capacity to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. UTILITIES AND SERVICE SYSTEMS –

accommodate the project's solid waste disposal needs?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) The project adds the emergency shelter use type to the current list of commercial and residential uses at both project locations. Addition of the emergency shelter use type to the list of permitted use types will not impact utility services. Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect utility services. No new sewer, water, or stormwater facilities will be necessary to support an emergency shelter. No impact will occur.

f-g) Solid waste within the project area is collected by Auburn-Placer Disposal Service (APDS), a licensed private disposal company. Solid waste is transported to the company's transfer station located on Shale Ridge Road and then to the Placer County Western Regional Landfill. No impacts will occur.

Mitigation Measures

No mitigation measures are necessary.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a)-c) The analysis presented herein indicates that the proposal to add the Emergency Shelter overlay zone to the two project areas at 455 Nevada Street and 555/570/580 Wall Street will not have a significant effect on the environment. Accordingly, a Negative Declaration can be prepared for the project. | | | | |

REFERENCES

City of Auburn. *City of Auburn General Plan*. November 1993.
 City of Auburn. *The City of Auburn General Plan Environmental Impact Report*. November 1993.
 City of Auburn. *City of Auburn Municipal Code*. 28 March 2005.

ATTACHMENTS

Attachment 1 – Nevada Street Vicinity & Zoning Maps
Attachment 2 – Wall Street Vicinity & Zoning Maps
Attachment 3 – Wall & Nevada Street Aerial Photographs

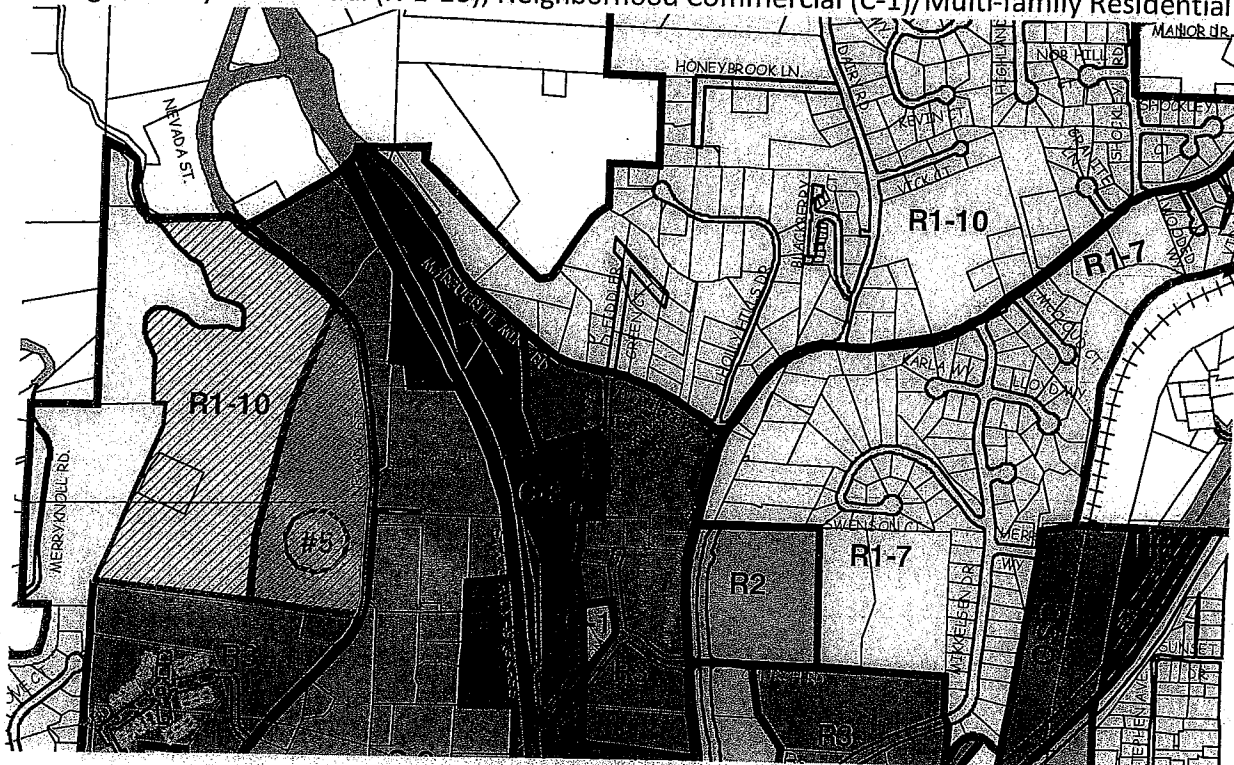
**EMERGENCY SHELTER OVERLAY ZONE
NEVADA STREET**

Site Location Map

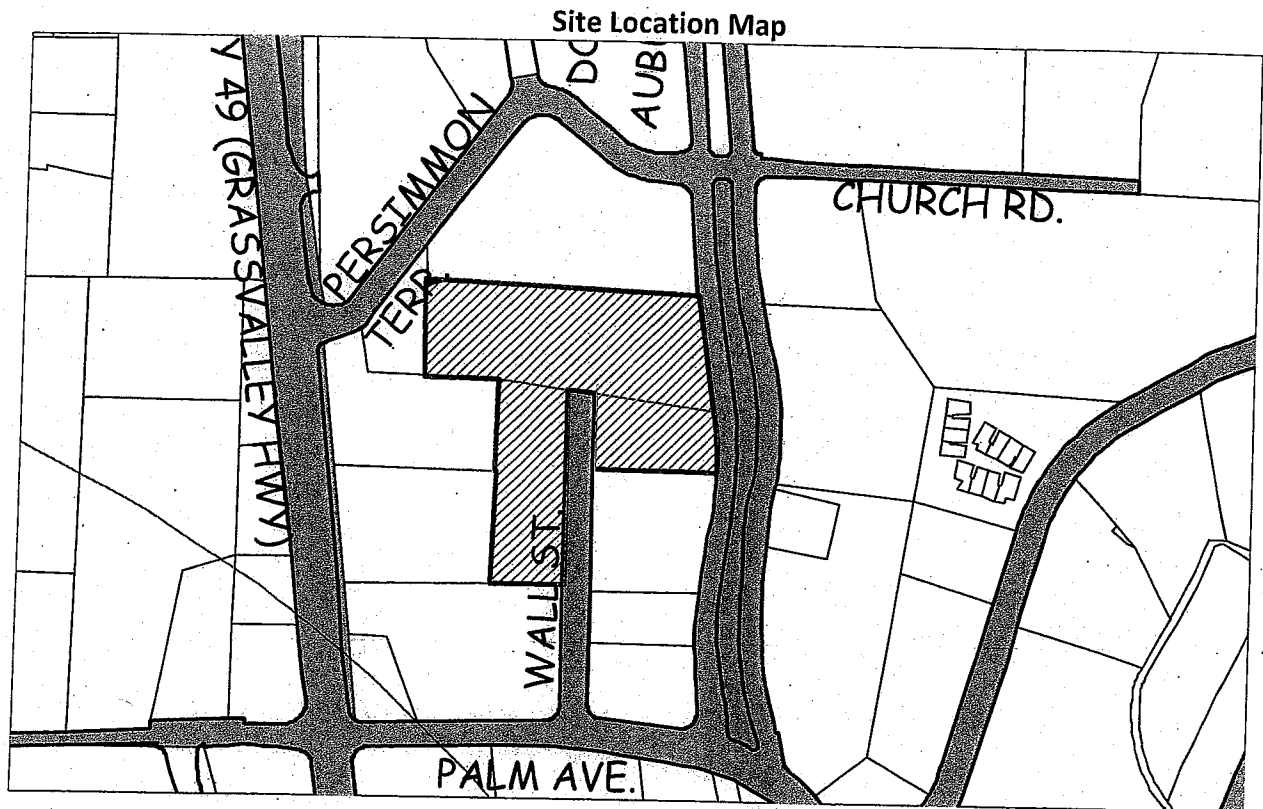


Existing Zoning:

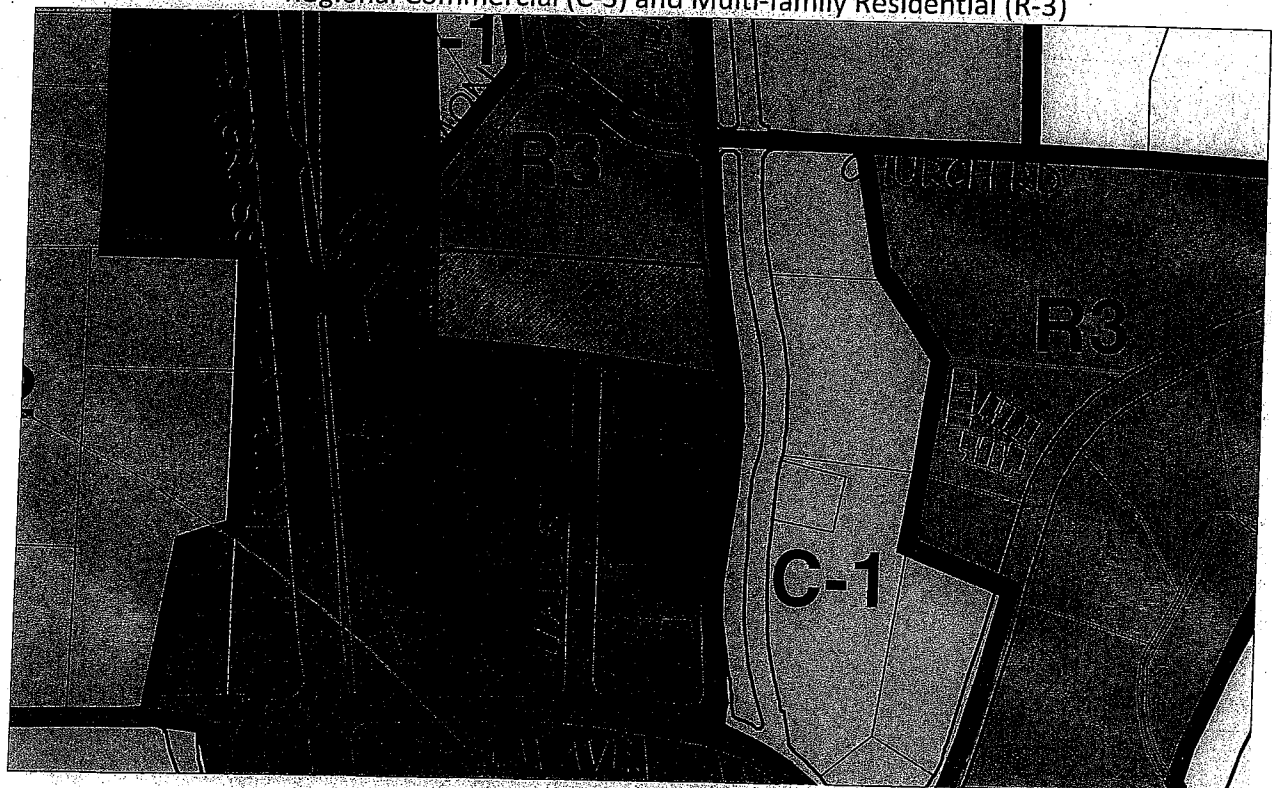
Single-family Residential (R-1-10); Neighborhood Commercial (C-1)/Multi-family Residential (R-3)



**EMERGENCY SHELTER OVERLAY ZONE
WALL STREET**

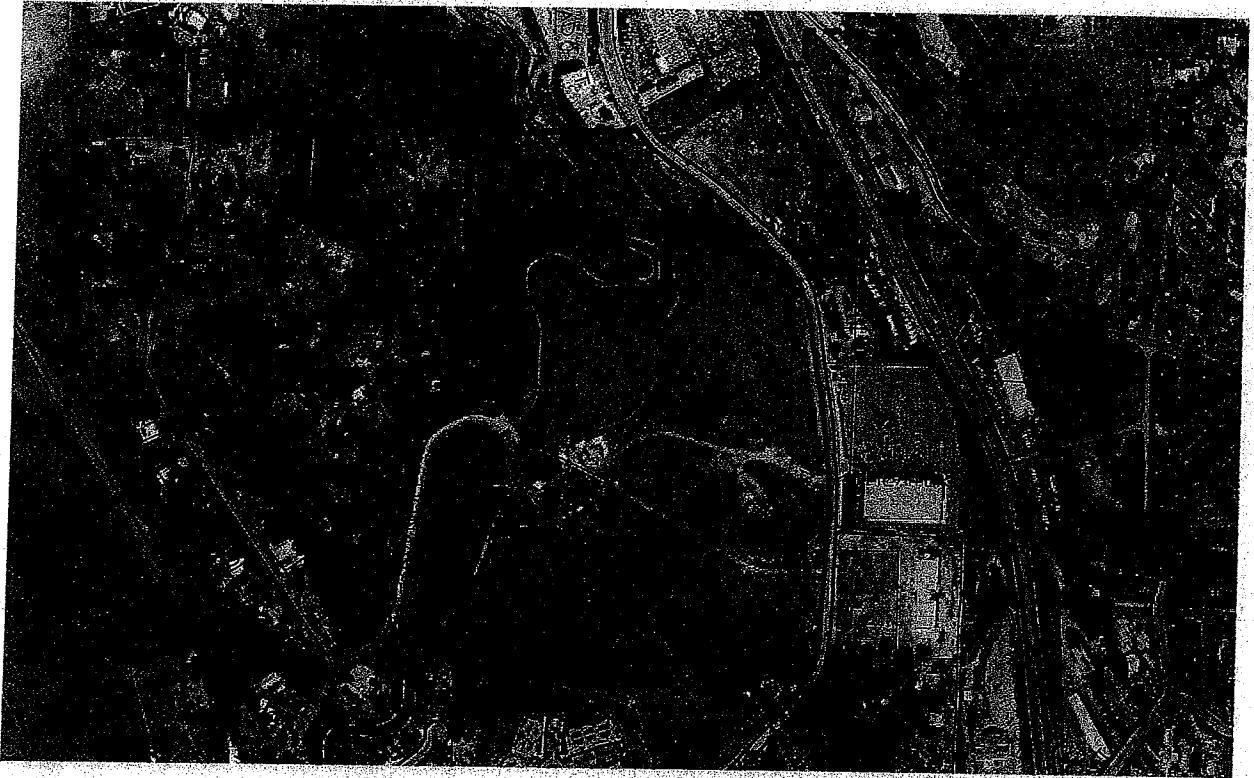


Existing Zoning:
Regional Commercial (C-3) and Multi-family Residential (R-3)



EMERGENCY SHELTER OVERLAY ZONE SITES

NEVADA STREET



WALL STREET

